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M. ROBERT KESTENBAUM, LLC  
PATENT AND TRADEMARK MATTERS

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## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Clark Dexter	M. Robert Kestenbaum
COMPANY:	DATE:
Commissioner for Patents	August 31, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(703) 872-9306	4
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
(703) 308-1404	(Z) 98017 P US
RE:	YOUR REFERENCE NUMBER:
RCE & Three-Month Extension Request	09/770,958

## NOTES/COMMENTS:

Dear Examiner Dexter:

I am faxing an RCE with a two-month extension and necessary fees for the above-identified application.

A three-month extension of time in which to submit an RCE is hereby requested. PTO-2038 authorizing credit card payment for the amount of \$950 is enclosed for the prescribed Large Entity three-month extension fee.

Sincerely,

M. Robert Kestenbaum  
Reg. No. 20,430

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11011 BERMUDA DUNES NE  
ALBUQUERQUE, NEW MEXICO USA 87111  
PHONE (505) 323-0771  
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PTO/SB/30 (08-03)

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## REQUEST

FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number

09/770,958

Filing Date

01/25/2001

First Named Inventor

Hans Held

Art Unit

3724

Examiner Name

Clark F. Dexter

Attorney Docket Number (Z) 98017 P US

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1.  Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

2.  Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other \_\_\_\_\_

3.  Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. \_\_\_\_\_ 09/01/2004 CNGUYEN 00000086 09770958  
i.  RCE fee required under 37 CFR 1.17(e) \_\_\_\_\_ 770.00 OP  
ii.  Extension of time fee (37 CFR 1.136 and 1.17) \_\_\_\_\_ 01 FC:1801  
iii.  Other \_\_\_\_\_ 09/01/2004 CNGUYEN 00000086 09770958

b.  Check in the amount of \$ \_\_\_\_\_ enclosed 09/01/2004 CNGUYEN 00000086 09770958  
c.  Payment by credit card (Form PTO-2038 enclosed) 02 FC:1253 950.00 OP

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

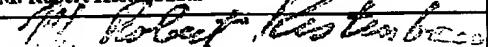
Name (Print / Type)

M. Robert Kestenbaum

Registration No. (Attorney / Agent)

20,430

Signature



Date

August 31, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

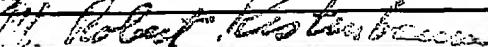
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

703-872-9306

Name (Print / Type)

M. Robert Kestenbaum

Signature



Date

August 31, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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